



# Next Generation Identification Program (NGI) Rap Back Service



## Criminal Justice Policy and Implementation Guide

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# I. Understanding the FBI's Rap Back Service for Criminal Justice Purposes

## A Brief Description

The core function of FBI's Next Generation Identification (NGI) Rap Back Service is to notify authorized entities when a person who has fingerprints on file within NGI is arrested or has criminal (or for federal agencies authorized under the Security Clearance Information Act, civil) activity against those fingerprints. This capability provides significant benefits in two domains of implementation: (a) to provide timely notification to licensing, employment, volunteer, and other non-criminal justice entities regarding relevant "triggering events" that are reported to NGI regarding their applicants, employees, volunteers, licensees, etc.; and (b) to provide timely notification to criminal justice agencies regarding relevant triggering events reported to NGI pertaining to individuals under authorized law enforcement investigation or under the supervision of criminal justice agencies.

This document focuses on those criminal justice uses. It is intended to inform the State Identification Bureaus (SIBs) and federal agencies that want to understand what criminal justice Rap Back is and what will be expected of them, should they choose to participate as Submitters of subscriptions for themselves and for the Subscribing Criminal Justice Agencies they would serve. A separate document, entitled, NGI Rap Back Non-Criminal Justice Policy and Implementation Guide is focused on non-criminal justice use of Rap Back.

Law enforcement agencies, probation and parole offices, and other criminal justice entities will greatly improve their effectiveness by receiving future notice of triggering events reported to NGI regarding persons under their law enforcement investigation or criminal justice supervision. Accordingly, at the discretion of the agency, the NGI Rap Back functions can be applied to the fingerprints of probationers, parolees, sex offenders, persons under direct court supervision, and other officially supervised persons. In addition, law enforcement agencies can place Rap Back subscriptions on suspects and other persons involved in their investigations.

### **Rap Back and Criminal Justice Employment**

Criminal justice agencies also need to be aware of any triggering event activity of their employees. As such, they can use the NGI Rap Back Service to receive notification of future triggering events reported to NGI. This document focuses on the law enforcement investigative and criminal justice supervisory uses of Rap Back. The criminal justice employment use of Rap Back is described in the NGI Non-Criminal Justice Policy and Implementation Guide.

The two main functions of Rap Back are:

- **Subscription to Person's Fingerprints:** By definition, the fingerprints of the probationer, parolee or sex offender should already be on file in NGI and included in the searches of all incoming arrest and applicant fingerprint cards. To receive future notice of activity, the supervisory agency simply subscribes to those pre-existing fingerprints (called the NGI Identity) in NGI's Rap Back Service. Persons under law enforcement investigation may not have fingerprints on file, so they may not have an NGI Identity. If they are not on file, fingerprints can be added, if available, prior to or in conjunction with the Rap Back subscription request.
- **Notice to Criminal Justice Agency:** When NGI receives information in relation to the selected Rap Back triggers, NGI Rap Back will notify the Subscribed Criminal Justice Agency.

Central to the operation of the NGI Rap Back Service is that it does not create any new authority for any agencies to receive criminal history record information (CHRI). It is simply a new manner through which criminal justice and non-criminal justice agencies can request and receive CHRI in a timelier manner. Accordingly, CHRI disseminated for criminal justice purposes from the NGI Rap Back Service is subject to the same legal and policy restrictions as for the use of any CHRI disseminated from CJIS for criminal justice purposes.

## Guiding Principles for the Criminal Justice Use of NGI's Rap Back Service

The value of the NGI Rap Back Service will extend beyond the power of technology to improve systems. Its real value comes from incorporating and implementing a set of Guiding Principles that were developed in cooperation with the local, state, tribal, and federal law enforcement owners of these records. The following Guiding Principles and assumptions were foundational in the development of the Rap Back Service for criminal justice purposes.

1. *The currency of the criminal history status of persons under criminal justice supervision (such as probationers, parolees, sex offenders, and others) is critical to criminal justice agencies and the public safety.*

Timely notification to the subscribing agency regarding triggering events reported to NGI for a person who is under their supervision provides a key law enforcement and criminal justice benefit and adds greatly to the agency's effectiveness and to public safety.

2. *The notice to investigators of ensuing “triggering events” reported to NGI regarding persons under investigation is beneficial to law enforcement investigations and enhances the ability of law enforcement agencies to serve the public.*

Timely notification to law enforcement investigators of triggering events reported to NGI is a powerful tool that currently is in use in many states on an in-state basis. To deploy this capability nationally creates a force multiplier for investigations nationwide. This enhancement being provided to all investigating agencies improves their abilities and increases public safety for all citizens.

3. *The NGI Rap Back Service will be implemented in coordination with current State Rap Back Programs.*

Not all states currently have in-state Rap Back Programs. The goal is to allow the states with in-state criminal justice Rap Back Services to incorporate the NGI Rap Back functions into their existing Services. In addition, through coordination with state representatives, the national Rap Back Service can also provide complete criminal justice Rap Back capabilities to agencies in those states that have no such Services at present.

4. *The privacy interests of persons subscribed in the NGI Rap Back Service are a primary consideration in the design, development and implementation of the Service.*

Just as safeguards are being implemented to minimize the risk of disclosing a person’s criminal history to a non-criminal justice agency, similar safeguards will be employed where appropriate with Rap Back services provided to criminal justice agencies. Strategies to mitigate the risk are discussed later in the document.

## II. Terms Used In this Document

This section defines terms of convenience used in this document. These definitions do not necessarily have any specific association outside of their use within this document.

**Extending a Subscription:** for criminal justice subscriptions, refers to a Subscriber reviewing a subscription at its Expiration Date; validating that they are still authorized to receive criminal history record information for the individual; determining that their new proposed Expiration Date is appropriate to their subscription and is not greater than the maximum allowed; and notifying the Submitter that the subscription needs to be “extended” in NGI for another expiration period with the new Expiration Date. The Subscription is extended by the Submitter using a Rap Back Maintenance transaction with a “Replace” indicator, which replaces the existing Expiration Date with the new, extended Expiration Date. See “Validation” below.

**Federal Submitting Agency or Federal Agency:** refers to an authorized federal agency who submits fingerprints to NGI for background searches and Rap Back subscriptions. These agencies include the Office of Personnel Management (OPM), agencies authorized under the Security Clearance Information Act, and others. They may be submitting for themselves as the Subscribing Agency or for another authorized federal agency as the Subscribing Criminal Justice Agency.

**Identity History Summary:** refers to the report of all identification, demographic, and event information, criminal and/or civil, within an NGI Identity record that may be disseminated to an authorized recipient. Since an NGI Identity record may now contain criminal and/or civil information, the existence of an NGI Identity History Summary alone does not reflect that any criminal history events exist for that person.

This term is unique to NGI and is not intended to affect other agencies’ use of the term “Rap Sheet” to describe reports of information in their identification repositories.

**NGI Identity:** refers to a record of information within NGI associated through biometric identification to a unique individual, that is, a person’s record within NGI.

**State Identification Bureau (SIB):** refers to the state governmental agency charged with criminal fingerprint identification services within the state and with submitting fingerprints (and Rap Back subscriptions) to NGI for all jurisdictions within the state not served by Federal Submitting Agencies or Channelers.

**Submitting Agency or Submitter:** refers to the SIBs and Federal Submitting Agencies who are submitting fingerprints and Rap Back transactions for Subscribing Agencies (see next definition). All NGI Rap Back transactions must come to NGI through one of the Submitting Agencies. In some instances the Submitting Agency may also be the Subscribing Agency.

**Subscribing Criminal Justice Agency, Subscribing Agency, or Subscriber:** refers to those criminal justice agencies who are subscribing to NGI Identities through the NGI Rap Back Service.

**Validation:** refers to the process whereby the Subscriber reviews a subscription to determine whether they are still authorized to receive criminal history record information and other triggering events on that individual and updates the subscription accordingly. In the NGI Rap Back Service for criminal justice subscriptions, this function is accomplished through the Expiration Date within the subscription, which periodically requires the Subscriber to make this review and (1) “extend” the subscription; (2) allow the subscription to expire on its Expiration Date; or (3) cancel the subscription, as appropriate.



### III. Coordination with SIBs and Federal Submitting Agencies

Careful coordination between the Subscribing Criminal Justice Agencies and the SIBs and Submitting Federal Agencies that will be submitting criminal justice Rap Back transactions to NGI is critical to the Service's overall success. The Rap Back Subscription requests, Rap Back modifications, Rap Back notifications and all other transactions that come from and go to in-state and federal Subscribing Criminal Justice Agencies are accomplished through the SIBs or Federal Submitting Agencies. The SIBs and Federal Submitting Agencies must be in close communication and coordination with their criminal justice users so the plans for how the Rap Back services are implemented will be clear.

In order to support the Subscribing Agency's role of ensuring their Rap Back subscriptions are synchronized with the status of the person under their supervision or investigation, it is necessary that each SIB and Federal Submitting Agency establish a messaging and communications methodology for their Subscribing Agencies to use in requesting, modifying, and removing the subscriptions. This process can be as simple as phone calls, letters, in-state Law Enforcement Telecommunications System (LETS) messages, secure emails, overnight delivery, etc. To ensure success, however, the SIBs or the Federal Submitting agencies should consider it best practice to discuss a formalized messaging and communications methodology prior to starting the process.

Appendix 2: Subscribing Criminal Justice Agency Quick-Reference Guide to NGI's Rap Back Service (Quick Reference Guide) is intended to summarize the requirements in this document. Submitting Agencies will be able to use that document to assist in the discussions with Subscribers, to integrate into their own Rap Back Service documentation, or in any other manner that may be helpful.

## IV. Key Start-Up Requirements

This section describes the key criminal justice policies and requirements that Subscribing Criminal Justice Agencies, SIBs, and Federal Submitting Agencies will need to implement and sustain. Each numbered paragraph identifies the actions required of the Subscribing Criminal Justice Agencies, the SIBs and Federal Submitting Agencies, and the FBI CJIS Division.

**1. Criminal Justice Rap Back Subscriptions can only be established by recognized criminal justice agencies who have been assigned a criminal justice Originating Agency Identifier (ORI) by the FBI CJIS Division.**

The authority to access criminal history record information (CHRI), and therefore the NGI Rap Back Service, is inherent in an agency being recognized as a criminal justice agency by the CJIS Division. If an agency has that designation, they are authorized to participate in criminal justice Rap Back.

Law Enforcement Investigative subscriptions can only be established by law enforcement agencies that have been assigned law enforcement ORIs by CJIS. Criminal Justice Supervision subscriptions can be established by any criminal justice agency that has been assigned a law enforcement or criminal justice ORI by CJIS.

**Subscribing Criminal Justice Agency:**

In the normal course, the Subscribing Criminal Justice Agency will have a relationship with the SIB or Federal Submitting Agency under which their status as a criminal justice agency has already been verified. If not, the criminal justice agency asking to participate in Rap Back must establish their criminal justice status by providing their FBI-assigned ORI to the SIB or Federal Submitting Agency.

**SIB or Federal Submitting Agency:**

As above, the SIB or Federal Submitting Agency will usually have verified the criminal justice status for the agency because of other CJIS systems access already provided to the agency. If not, the SIB or Federal Submitting Agency must verify the ORI assignment through the ORI File or with the CJIS Division.

**FBI CJIS Division:**

The FBI CJIS Division will verify ORI assignments and answer any ORI related questions from the Submitting Agencies.

2. **Criminal Justice Agencies may only subscribe to persons under statutory or court ordered supervision or under authorized law enforcement investigations.**

Criminal justice agencies are already trained on the controls in place regarding the appropriate use of CHRI obtained from their state criminal history repositories or from the CJIS criminal history files. The NGI Rap Back Service does not change any controls or any rules for the use of CHRI. As such, the criminal justice agencies are responsible for only using Rap Back to access NGI CHRI in situations under which they would be able to access it by other authorized means. That is, criminal justice agencies cannot set an NGI Rap Back subscription on an individual if they would not be authorized under current policy to run the on-line Interstate Identification Index (III) criminal history query transactions (QH/QR) on the person at present and for the anticipated duration of the supervision or investigation.

Law Enforcement Investigative subscriptions can only be established in relation to cases that have been assigned an official agency case number and that still have a charge not beyond its statute of limitations.

It is imperative that detectives and investigators are especially vigilant in using Rap Back only under these circumstances. They must be performing duties related to a case and have the need to be notified when the person is arrested or has some other triggering event action reported to NGI.

NGI allows for the submission of juvenile fingerprints and criminal history record information if the state law of the Submitting Agency allows it. Submitters are responsible for determining any effect that NGI's Rap Back Service has upon their ability to submit juvenile records, which will now be subject to Rap Back subscriptions from within the submitting state and from other states.

Submitters must also determine whether criminal justice subscriptions can be set by their Subscribers on juvenile Identities in NGI.

**Subscribing Criminal Justice Agency:**

The Subscribing Criminal Justice Agency must institute policies and procedures to ensure that this requirement is fulfilled. The agency must have processes in place to ensure that subscriptions are created and managed through formalized procedures.

**SIB or Federal Submitting Agency:**

The SIB or Federal Submitting Agency must educate all Subscribing Criminal Justice Agencies on the rules under which criminal justice subscriptions may be set and how they must be managed in terms of sending update messages to the SIB or Federal Submitting Agency when an event occurs to change the status of the subscription.

**FBI CJIS Division:**

The FBI CJIS Division will ensure that the SIBs and Federal Submitting Agencies are all aware of the primary importance of this requirement and that they are stressing it in training and auditing. CJIS will supply appropriate training materials to the Submitters so they can use them in training and provide them to the Subscribers for reference and in-agency training. CJIS will be available to answer questions from the Submitting Agencies regarding appropriateness of Rap Back for specific situations as they arise. CJIS will create a history of decisions that reflects the policies established by Compact Council and the CJIS Advisory Policy Board (APB), and will use that history in future decisions.

**3. Criminal Justice Subscribers must create a plan for linking future Rap Back Activity Notifications back to the right person or section within the agency.**

A key goal of NGI's Criminal Justice Rap Back Service is to deliver the notice of subsequent activity to the right person within an Agency. In order to do this, the Subscribing Criminal Justice Agencies must employ standardized processes for the delivery of future Rap Back Activity Notifications (and other Rap Back messages) to the correct person. The agency must create a protocol for using the linking fields and handling the responses when they are received at the Agency.

The following fields are available for internal linking of subscriptions to the appropriate person or section within the Subscribing Agency. The EBTS Tag Number and Element abbreviation are included in parentheses here and throughout the document:

1. FBI/UCN Number (2.014 FBI/UCN)
2. Subscribing Agency ORI (2.073 CRI – Controlling Agency Identifier)
3. Originating Agency Case Number (2.009 OCA)
4. The Rap Back Attention field (2.2070 RBATN)

This is a fifty character free text field. It will always appear on an Identity History Summary generated on a subscribed person for Supervision Subscriptions and only appear for Investigative Subscriptions when the Subscriber has indicated the subscription should be made visible. As such, it should be populated with contact information determined by the Subscriber to be relevant to receivers of a future Identity History Summary of the subscribed person. The agency may include the Subscribers personal contact information if desired on a high priority case, for example, but it may be more appropriate to put a Section or Division 24 hour contact number than an individual Subscriber's number.
5. Ten User Defined fields (2.2064 RBUD)
  - i. Appropriate use is determined by the Submitter.
  - ii. These are 10 free text fields of 100 characters each.

- iii. Can contain additional linking information such as State SID; more detailed officer contact information; reminder notes regarding the subscription; or any other relevant information.
- iv. These fields are not disseminated on an Identity History Summary, rather returned to the SIB or Federal Submitting Agency with subsequent Rap Back Activity Notifications and other Rap Back messages.

**Subscribing Criminal Justice Agency:**

The Subscribing Criminal Justice Agency must create an agency-wide process for linking the subscriptions back to the right person. Because subscriptions can remain in NGI untouched for up to five years, the agency must have a process to ensure that when the person who originated the subscription is not available, no longer in that position, or no longer with the agency, the Rap Back Activity Notification will go to the appropriate alternate person or Section for follow-up.

The Subscribing Criminal Justice Agency shall determine from the SIB or Federal Submitting Agency whether and how they have defined the User Defined fields for the use of their Subscribers.

**SIB or Federal Submitting Agency:**

The SIB or Federal Submitting Agency must educate Subscribing Criminal Justice Agencies to understand the need for use of the Rap Back Attention field and in implementing a standardized process.

The Submitting Agency must decide whether to standardize the information being entered into any or all of the User Defined fields for their Subscribers, and communicate that to the Subscribing Agencies.

**FBI CJIS Division:**

The FBI CJIS Division will ensure that the SIBs and Federal Submitting Agencies are aware of the availability and uses of the linking fields. The FBI CJIS Division will be available to answer questions from Submitting Agencies regarding the requirement. FBI CJIS will monitor use of the User Defined fields and make any appropriate recommendations for future standardization to the CJIS Advisory Process.

**4. Criminal Justice Subscribers must provide the appropriate information for the subscription as described in the Electronic Biometric Transmission Specification (EBTS).**

All technical requirements for use of NGI's Rap Back are described in the FBI's EBTS. For quick reference, Appendix 1: Criminal Justice Rap Back Related Data Available for Use in EBTS contains a summary of that criminal justice Rap Back related data. Please refer to the most current version of the EBTS for the specific technical requirements for participation in the NGI Rap Back Service. The latest available

version of the EBTS can be found at website:

<https://www.fbibiospecs.org/ebts.html>.

**Subscribing Criminal Justice Agency:**

The Subscribing Agency must ensure that the request for subscription they send to the Submitter contains all the necessary information. The transmission to the Submitter must be in the format dictated by the Submitter's messaging protocol.

**SIB or Federal Submitting Agency:**

The Submitter must transform the information received from the Subscriber into the EBTS format and submit it to NGI. The Submitter also must establish the messaging protocol that they want to use for receiving the Rap Back transactions from the Subscribers.

**FBI CJIS Division:**

The FBI CJIS Division will process the EBTS transactions received from the Submitters and respond with the acceptance message or the appropriate EBTS reject message.

**5. Criminal Justice Subscribers may identify the events that will trigger Rap Back notifications.**

By default, all Subscribers will be notified when the subscribed person is arrested and the arresting agency notifies the FBI CJIS Division with the Criminal Retain Submission (the first Trigger listed, below). In addition, the Subscribing Criminal Justice Agency may elect to have other listed events trigger Rap Back notifications. The choice must be made on each Rap Back subscription and may be modified at any time through a Rap Back maintenance request transaction. The triggering event choices are placed in the Rap Back Trigger field (2.2040 RBT). The available triggering events are:

**1. Criminal retain submission**

This trigger will activate whenever a retained criminal tenprint identification submission transaction or National Fingerprint File (NFF) Criminal Print Identification (CPI) transaction matches against a subscribed NGI Identity. This trigger is automatically set for all subscriptions, regardless of whether it is requested or not.

**2. Dispositions**

This trigger will activate whenever a reported disposition transaction is matched against a subscribed NGI Identity. The disposition transactions included are:

- Disposition Fingerprint Search Request;
- Disposition Submission Request;
- Disposition Maintenance Request.

3. Expunge/Partial Expungement  
This trigger will activate whenever all or a portion of a subscribed NGI Identity is expunged and provide notification of the information being removed from the record.
4. Warrant entry with FBI number included  
This trigger will activate whenever a record containing an FBI/UCN that matches a subscribed NGI Identity is entered into the NCIC Wanted Person file or Immigration Violator file.
5. Warrant Deletion  
This trigger will activate whenever a record containing an FBI/UCN that matches a subscribed NGI Identity is deleted from the NCIC Wanted Persons file or Immigration Violator file. This trigger will be activated by NCIC Cancel, Clear, or Locate transactions.
6. Warrant Modification  
This trigger will activate whenever a record containing an FBI/UCN that matches a subscribed NGI Identity is modified within the NCIC Wanted Persons file or Immigration Violator file.
7. Sex Offender Registry entry  
This trigger will activate whenever a record containing an FBI/UCN that matches a subscribed NGI Identity is entered in the NCIC Sex Offender Registry.
8. Sex Offender Registry Deletion  
This trigger will activate whenever a record containing an FBI/UCN that matches a subscribed NGI Identity is deleted from the Sex Offender Registry. This trigger will be activated by Cancel or Clear transactions.
9. Sex Offender Registry Modification  
This trigger will activate whenever a record containing an FBI/UCN that matches a subscribed NGI Identity is modified within the Sex Offender Registry. Transactions that will cause this trigger to activate are limited to modification of any of the following fields:
  - Name;
  - Case Number;
  - Registration Date;
  - Registry Expiration Date;
  - Registering Agency.
10. Death Notices  
This trigger will activate whenever CJIS receives a death notice and associates it with a subscribed NGI Identity. This will include both fingerprint-based and non-fingerprint-based death notice submissions. The Rap Back Activity Notification will include whether it was a fingerprint supported death notice or not. NGI does not remove the Rap Back subscription as result of a fingerprint based or non-fingerprint based death notice.



#### 11. Civil Retain Submission

This trigger will activate whenever a retained civil tenprint identification search matches against a subscribed NGI Identity. This trigger is limited to certain federal agencies that have specific statutory authority to receive this information [e. g. for Office of Personnel Management (OPM), Security Clearance Information Act (SCIA)].

**Note:** NGI will also provide a Rap Back Activity Notification for all subscriptions regardless of the set triggers for the following conditions:

1. Consolidation: Consolidation may trigger a Rap Back notification for any of the Identities involved in the consolidation. This process is described further in the NGI Rap Back Service Transactions Section, Item #6: Receiving Rap Back Activity Notifications for Consolidations of Subscribed Identities.
2. Identity Deletion: FBI CJIS will send the Submitting Agency a Rap Back Activity Notification when a subscribed Identity is deleted from NGI. The associated subscription(s) are automatically deleted whenever an Identity is deleted.

#### **Subscribing Criminal Justice Agency:**

The Agency must choose one of the following alternatives:

1. Have a process in place under the SIB or Federal Submitting Agency's messaging and communications methodology to indicate on each subscription the desired triggers for that subscription; or,
2. If the SIB or Federal Submitting Agency agrees, the Agency may create an agreement with them to always use the same set of identified triggers; or,
3. Allow the triggers for each subscription to default to only the arrest notification (the Criminal Retain Submission trigger noted above).

#### **SIB or Federal Submitting Agency:**

The SIB or Federal Submitting Agency must ensure that all Subscribing Criminal Justice Agencies understand the concept of triggers and the effects of choosing the different trigger options. As above, the Submitting Agency may set up pre-arranged triggers for different agencies. The Submitter must ensure that any additionally desired triggers are included on each FBI transaction establishing an NGI Rap Back subscription. Transactions without triggers included will default to just the Criminal Retain Submission trigger.

#### **FBI CJIS Division:**

The FBI CJIS Division will ensure that Subscribing Criminal Justice Agencies and SIB/Federal Submitting Agencies understand the role of the triggers and their options. CJIS will be available to answer questions from Submitting Agencies regarding the use of triggers.



6. *There will be no fee for criminal justice NGI Rap Back subscriptions.*

While there will be a fee for the non-criminal justice Rap Back Service, the APB, the Compact Council, and FBI CJIS agree that there will be no fee for criminal justice subscriptions. As previously mentioned, criminal justice agencies may also submit fingerprints of their employees and then subscribe to those records in NGI's Rap Back Service. As with the Law Enforcement Investigative and Criminal Justice Supervision Rap Back subscriptions, there is no fee for criminal justice employment Rap Back subscriptions. Please refer to the Rap Back Non-Criminal Justice Policy and Implementation Guide for more information regarding criminal justice employment Rap Back subscriptions.

7. *The Subscribing and Submitting criminal justice agencies must employ approved privacy controls.*

As indicated in Guiding Principle #4, the privacy interests of the person being subscribed are central to the NGI Rap Back Service. As such, the entire system and the requirements stated in this document are designed to mitigate the key risk areas of privacy of the persons subscribed, system completeness and accuracy, and the efficiency and integrity of operations. The requirements listed after this one particularly focus on privacy and are intended to help mitigate those associated risks.

***Subscribing Criminal Justice Agency:***

The Subscribing Criminal Justice Agency must participate in any training required by the SIB or Federal Submitting Agency. They must ensure that the privacy and service protections are adopted and sustained within their agency through the continued use of appropriate policies and procedures.

***SIB or Federal Submitting Agency:***

The SIB or Federal Submitting Agency must use the information in the Quick Reference Guide and any other training tools for privacy and service protection training that can be passed to the Subscribing Criminal Justice Agency. The Submitter must ensure that all Subscribing Criminal Justice Agencies have received appropriate training materials prior to being allowed to set criminal justice subscriptions.

***FBI CJIS Division:***

The FBI CJIS Division will provide this document, the Quick Reference Guide, and any other training materials that the SIB or Federal Submitting Agency can pass to the Subscribing Agencies. CJIS will train the SIBs and Federal Submitting Agencies on the privacy and service protections. CJIS will be available to answer questions from Submitting Agencies at start-up and in an on-going basis regarding these policy issues.

8. *Criminal Justice Subscribers must determine the appropriate expiration dates for their subscriptions.*

All criminal justice Rap Back subscriptions must expire at their subscription expiration dates, which are placed (by the Subscriber or by NGI) in the Rap Back Expiration Date field (2.2015 RBXD). For individuals under supervision (probation, parole, sex offender, etc.) it is recommended the expiration date be set to the expiration of supervision by the Subscribing Agency, if possible. For investigations, it is recommended that the expiration date be set to the shortest anticipated need. The CJIS Advisory Policy Board has determined the maximum Rap Back Subscription terms for individuals under investigation to be one year and the maximum Rap Back Subscription term for persons on supervision to be five years. The Subscribing Agency must use those time periods or shorter for each of their subscriptions.

Subscribers will receive a validation/expiration list of subscriptions pending expiration approximately 45-75 days in advance. The Subscriber can “extend” the subscription for another five years or one year, if the individual is still subject to the supervision, the supervision has been extended, or the investigation is still active. If the subscription is not extended by 10 days prior to the expiration, NGI will send a second reminder, called the Rap Back Renewal Notification (EBTS Section 3.5.3 RBRN). If the subscription is not extended (or canceled) by its Expiration Date, it will be automatically removed from NGI. This validation function is to ensure that a subscription does not remain in NGI after the person is no longer on supervision or under authorized investigation.

**Maximum Expiration Periods for  
Criminal Justice Rap Back  
Subscriptions**

Investigation = 1 year or less  
Supervision = 5 years or less

If the Subscribing Agency does not enter an expiration date in their subscription transaction, the transaction will not be rejected on that omission. NGI will default to a one year expiration date for investigative subscriptions and a five year expiration date for supervision subscriptions.

**Note:** the Submitting Agency can opt out of receiving the validation/expiration lists and 10 day Rap Back Renewal Notifications, if they have an acceptable alternative process for validation. In that case, the Subscriber would participate in that alternative validation process.

**Subscribing Criminal Justice Agency:**

If the Subscriber is a criminal justice agency setting a Rap Back subscription on a person under supervision, the agency should determine the feasibility of setting the NGI Rap Back expiration date to the expiration date of the supervision, or the closest meaningful related date. If that is not feasible, the Subscriber can set the expiration date to no greater than the known or estimated supervision expiration date, or five years, whichever is shorter. The Agency can then use the automated Rap Back

validation/expiration lists from NGI as a means of verification of subscriptions on an on-going basis.

If the Subscriber is a law enforcement agency setting an investigative subscription, the agency should set the subscription to the shortest appropriate date, but no greater than one year. The privacy emphasis is on not subscribing to individuals when there is no longer an investigative need, so if the investigator knows that this is only a very short term interest, she should set the expiration date accordingly. The subscription can always be extended with a Rap Back Maintenance transaction after receipt of the validation/expiration list, the 10 day Rap Back Renewal Notifications, or at any time.

**SIB or Federal Submitting Agency:**

The SIB or Federal Submitting Agency must ensure that Subscribing Criminal Justice Agencies understand the need for emphasis on limiting subscriptions to the terms of the legitimate supervisory or investigative need, and that they will receive Rap Back validation/expiration lists, from which they can extend the subscriptions if necessary. The Submitter should ensure that all submitted criminal justice subscription transactions have an expiration date no greater than the maximum investigative or supervisory term.

**FBI CJIS Division:**

The FBI CJIS Division will ensure that the SIBs and Federal Submitting Agencies are emphasizing appropriate expiration dates to Subscribers. CJIS will be available to answer questions from Submitting Agencies regarding use of expiration dates and how to handle special cases, etc. NGI will change the expiration date to the maximum allowable for any EBTS subscription requests with expiration dates greater than the approved maximum investigative or supervisory terms. NGI will also insert the maximum dates if the request does not include an expiration date.

**9. Criminal Justice Subscribers must include the Case Number of the related case for the subscription.**

A criminal justice subscription request must include the Subscribing Agency's Case Number in the Originating Agency Case Number field (2.009 OCA) or the transaction will be rejected by NGI. The purpose of this requirement is to ensure that the investigative subscription is related to an official ongoing law enforcement investigation. Supervisory Subscribers can use any number appropriate to managing the person's supervision.

**Subscribing Criminal Justice Agency:**

The Subscribing Criminal Justice Agency must ensure that the appropriate Case Number is included in the information that they send to the Submitting Agency to establish the subscription.

**SIB or Federal Submitting Agency:**

The Submitting Agency must ensure that Subscribing Criminal Justice Agencies understand the Case Number is mandatory as a control to ensure that all subscriptions are tied to a legitimate supervisory or investigative need.

**FBI CJIS Division:**

The FBI CJIS Division will ensure that the SIBs and Federal Submitting Agencies are emphasizing appropriate Case Numbers must be included in subscriptions.

**10. Law enforcement investigative Subscribers must decide whether notice of their Rap Back Subscription should be included on the Identity History Summary that is disseminated to criminal justice agencies.**

Every criminal justice supervision Rap Back subscription will be displayed on the related Identity History Summary in a manner similar to how “Flash” notices for probationers, parolees, etc. are displayed.

Law enforcement investigative Subscribers, though, must choose whether they want their investigative subscription to be displayed on the Identity History Summary provided to criminal justice agencies for criminal justice purposes. This choice is placed in the Rap Back Disclosure Indicator field (2.2067 RBDI).

**When appropriate, a criminal justice subscription will display on an Identity History Summary in a manner similar to the following (for an Investigative Subscription):**

RAP BACK SUBSCRIPTION – LAW ENFORCEMENT INVESTIGATIVE  
INDIVIDUAL IS UNDER CRIMINAL INVESTIGATION BY THE FOLLOWING  
AGENCY  
SAN FRANCISCO PD (CA0380100)  
RBATN – HARRY CALLAHAN (304)625-2001  
ESTABLISHED DATE: 2014/01/31  
EXPIRATION DATE: 2015/01/31

**Note:** If there is no choice indicated within the investigative Subscription transaction establishing the subscription, the transaction will not be rejected. NGI will default to not displaying subscription information on the Rap Sheet. This default action does not diminish the Subscribing Agency’s responsibility to decide whether they want the subscription displayed or not.

**Subscribing Criminal Justice Agency:**

The Subscribing Criminal Justice Agency must ensure that appropriate employees are aware of this requirement and of any policy the Agency has for determining whether the subscription should be viewable by other criminal justice agencies or not.

**SIB or Federal Submitting Agency:**

The SIB or Federal Submitting Agency must ensure that Subscribing Criminal Justice Agencies understand the need for a decision on this point. The Submitter must

emphasize that this is a Subscribing Agency decision and that the subscription will default to “N” (not displayed) if they do not set it to “Y” (displayed).

**FBI CJIS Division:**

The FBI CJIS Division will ensure that the SIBs and Federal Submitting Agencies are emphasizing correct use of this field. CJIS will be available to answer questions from Submitting Agencies regarding use of the field.

**11. Criminal Justice Subscriptions may not be placed on civil-only NGI Identities.**

A criminal justice agency may not subscribe to an NGI Identity for criminal justice purposes if that Identity contains only civil events. An Identity must contain at least one fingerprint based criminal event before a criminal justice subscription can be applied to it.

See Item #1 Setting the NGI Rap Back Subscription under the NGI Rap Back Service Transactions Section, below, regarding adding criminal events to an NGI Identity.

**Subscribing Criminal Justice Agency:**

The Subscribing Criminal Justice Agency must ensure that appropriate employees are aware of this policy. In many cases, the Subscribing Criminal Justice Agency will not be aware of civil-only NGI Identities, and this requirement will be somewhat self-policing. There may be times, however, when a Subscribing Agency becomes aware of a civil-only NGI Identity and assumes they can subscribe to it. The Subscribing Agency must not make a subscription request in that instance.

**SIB or Federal Submitting Agency:**

The SIB or Federal Submitting Agency must ensure that Subscribing Criminal Justice Agencies understand this policy.

**FBI CJIS Division:**

The FBI CJIS Division will ensure that the SIBs and Federal Submitting Agencies are emphasizing this policy. CJIS will reject criminal justice subscription requests received for civil-only Identities.

## V. The NGI Rap Back Service Transactions

The following operational transactions are all based on the Rap Back automated system transactions and together create the core of the NGI Criminal Justice Rap Back Service operations. These are the transactions the SIBs and Submitting Federal Agencies must process to provide the NGI Rap Back Service to their Subscribing Criminal Justice Agencies:

1. Set the NGI Rap Back Subscription.
2. Receive Rap Back Activity Notifications.
3. Perform Maintenance on Rap Back Subscription Records, which includes:
  - a) Modify Rap Back Subscription data,
  - b) Extend the Rap Back Subscription, and
  - c) Discontinue/Cancel the Rap Back Subscription.
4. Retrieve a Subscribers Rap Back Subscription List.
5. Receive and respond to Monthly Rap Back Subscription Validation/Expiration lists.
6. Receive Rap Back Activity Notifications for Consolidations of Subscribed Identities.
7. Perform Bulk Submissions.

These functions are described below from the point of view of the SIBs and Submitting Federal Agencies, with the associated responsibilities of the Subscribing Criminal Justice Agencies. In addition the role of the FBI CJIS Division is highlighted, when appropriate.

The nature of these functions again emphasizes the critical role of communication and coordination between the SIBs and Submitting Federal Agencies and the Subscribing Criminal Justice Agencies to receive and maintain notice of the correct status of the subscriptions.

### **1. Setting the NGI Rap Back Subscription**

The first requirement for subscribing is that the Subscribing Criminal Justice Agency must know the criminal FBI/UCN number of the person to be subscribed. Fingerprint based identification is not required, but the Subscribing Agency must have complete confidence in the identity prior to setting the subscription. They also must use the appropriate caution after receipt of any Rap Back Activity Notification. The FBI/UCN can be determined in a number of different ways:

#### **For Law Enforcement Investigative Subscriptions:**

Examples include:

- The agency arrested the person and has the FBI/UCN from the arrest fingerprint submission.



- The detective, investigator, or other subscribing official identifies the individual through investigation and the QH/QR results are reliably indicative of his identity. Law enforcement officials often must make preliminary identifications on individuals in this manner. The Rap Back results could lead to an affirmation of that identity.
- Another agency has arrested the person and through combined investigations, court records, task force operations or other shared efforts, the subscribing official is made aware of the person's FBI/UCN.
- Any other authorized means by which the agency may have come to know with confidence the FBI/UCN number of the person to be subscribed.

#### **For Criminal Justice Supervision Subscriptions:**

Almost all supervision subscriptions will be based upon fingerprint identification from the arrest, incarceration, or other fingerprint submission to NGI, but any official process similar to those described above for investigative subscriptions would be acceptable.

In the instance where no criminal NGI Identity exists, a subscription cannot be established unless the Agency can create a valid NGI Identity with the fingerprints from a criminal event. For example, if the agency (or another criminal justice agency) had previously arrested the individual but for some reason the fingerprints did not get reported to NGI, they (or the other agency) can send those fingerprints and associated arrest information to establish the NGI Identity. If the Subscribing Agency has a set of criminal arrest fingerprints, the NGI Rap Back subscription can be established along with the submission of the fingerprints in the Tenprint Fingerprint Identification Submission. Please see EBTS Section 3.1.1.20 Rap Back Subscription Requests. Normally, however, criminal justice Rap Back subscriptions will be set upon an existing Identity with the Rap Back Subsequent Subscription Request – Criminal (EBTS Section 3.6.19 RBSCRM) transaction. That is the transaction discussed in the operational flow, below, and throughout this document.

**Note:** Criminal justice supervision or investigative Rap Back subscriptions are established with the Rap Back Subsequent Subscription Request – Criminal transaction without either fingerprints or the Event Identifier field (2.2035 EVI).

#### **Operational flow for setting a criminal justice subscription**

1. After it has been determined that a criminal NGI Identity exists for the person, the first step is for the Subscribing Criminal Justice Agency to establish the need for the subscription and go through the internal process to approve the request. For investigative subscriptions the Agency must make the decisions identified in the Key Start-Up Requirements, such as the identification of the person, the triggering events, the expiration date, etc. For supervision agencies this determination may be limited to verification of their supervision status.

2. The Subscribing Agency then sends the request to the SIB or Federal Submitting Agency under their established communications methodology. The message must be complete so that the SIB or Federal Agency can transform the information into the correct EBTS transaction and establish the subscription. The transaction contains a Rap Back Category field (2.2065 RBC) which must indicate whether the subscription is for Law Enforcement Investigation or Criminal Justice Supervision.
3. The SIB or Federal Submitting Agency reviews the information to verify its completeness. They transform that information into the Rap Back EBTS Subsequent Subscription Request – Criminal (EBTS Section 3.6.19 RBSCRM) transaction and send it to NGI. The Subsequent Subscription transaction must contain all the necessary information for NGI to establish the subscription. The transaction also must contain adequate linking information so the Submitter and Subscriber will be able to direct any future Rap Back Activity Notifications or other messages to the correct person or section within the Subscribing Agency. The Rap Back Attention field (2.2070 RBATN) and the User Defined fields (2.2064 RBUD) are used to describe this information.
4. Once the complete transaction is received and processed at CJIS, NGI will send a Rap Back Subscription Response (EBTS Section 3.6.21 RBSR) to the Submitting Agency indicating the successful creation of the subscription. The Subscription is now established and must be maintained by the Subscribing Criminal Justice Agency and the SIB or Federal Submitting Agency.

**Note:** The name and date of birth supplied in the RBSCRM Subsequent Subscription transaction to set the Rap Back Subscription will be returned in the Name field (2.018 NAM) and DOB field (2.022 DOB) of following transactions, regardless of other names and dates of birth that may already be associated with the subscribed NGI Identity.

1. Rap Back Subscription Response (EBTS Section 3.6.21 RBSR)
2. Rap Back Identity History Summary Response (EBTS Section 3.3.3.4 RBIHSR)
3. Rap Back Activity Notification (EBTS Section 3.5.2 RBN)
4. Rap Back Renewal Notification (EBTS Section 3.5.3 RBRN)
5. Rap Back Maintenance Response (EBTS Section 3.6.23 RBMNTR)



## **2. Receiving Future Rap Back Activity Notifications**

If an ensuing Criminal Arrest Retain set of fingerprints or other triggering event transaction matches against an NGI Identity containing a criminal justice Rap Back subscription, NGI will notify the appropriate SIB or Federal Submitting Agency of the Rap Back hit. The Rap Back Activity Notification (EBTS Section 3.5.2 RBN) will contain the information indicated in the Rap Back Activity Notification Format field (2.2062 RBNF) when the subscription was set: 1) the triggering event and the Identity History Summary record; or 2) just the triggering event itself. As a reminder, law enforcement investigative or criminal justice supervision subscriptions should not select the “Pre-Notification” format, as that will delay delivery of the Identity History Summary and is intended for civil subscriptions only.

Each Rap Back event that matches against a subscribed Identity creates a unique identifying number called the Rap Back Notification Identifier (2.2041 RBNI). That number is unique to identify that Rap Back Notification event. This number is separate from the Rap Back Subscription Identifier (2.2048 RBSI), which is assigned by NGI upon creation of the Rap Back subscription and refers to the subscription itself, in the same manner as an NCIC NIC number refers to a single wanted person record or vehicle record, etc. If the Subscriber received just the triggering event in the Rap Back Activity Notification and wants to view the entire criminal history record, they may run an on-line QR transaction with the associated FBI/UCN, or they may ask the Submitter to send a Rap Back Identity History Summary Request (EBTS Section 3.3.3.3 RBIHS), which must include the FBI/UCN, RBNI, and RBSI.

### **Operational flow for receiving and processing the Rap Back Activity Notification**

1. The Criminal Justice Agency has already established a criminal justice subscription on an NGI Identity. A subsequent arrest fingerprint submission – or other transaction that is on the triggering event list for the subscription – matches against the subscribed NGI Identity. NGI automatically sends the SIB or Federal Submitting Agency the Rap Back Activity Notification (EBTS Section 3.5.2 RBN), including the Rap Back Notification Identifier (2.2041 RBNI); all the Rap Back linking information, including the Rap Back Attention Field (2.2070 RBATN) and the User Defined fields (2.2064 RBUD); and the triggering event with the Identity History Summary or just the triggering event, depending upon what the agency indicated when they set up the subscription.
2. The Submitting Agency uses its established communication methodology to send the Rap Back Activity Notification including all the associated information to the Subscribing Criminal Justice Agency.
3. The Subscribing Criminal Justice Agency receives the transaction and routes it to the correct detective, supervising probation officer or other correct subscriber (as indicated by the established linking protocol), who takes the appropriate criminal justice action, if any. If the result is that the person is no longer under

supervision or no longer under investigation, the Subscribing Agency must send the Submitter a message to remove the subscription. Any change in the supervision termination date or other modification resulting from the event must also be sent by the Subscribing agency to the Submitting Agency for updating in NGI.

### **3. Performing Maintenance on Rap Back Subscription Records**

The NGI Rap Back Service provides a number of general maintenance services to allow the Subscribing Criminal Justice Agency to keep their subscriptions up to date and accurate. These services are discussed in EBT Section 3.6.22 Rap Back Maintenance Submission (RBMNT). As such, the Subscribers must communicate the need for these changes to their respective SIBs and Submitting Federal Agencies using the communication methodologies identified by the Submitting Agencies.

For criminal justice subscriptions, Rap Back Maintenance includes the ability to: modify Rap Back Subscription data, extend the Rap Back Subscription, and discontinue/cancel the Rap Back Subscription.

Following are the data relevant to criminal justice Subscribers that can be changed in a Rap Back Subscription record.

1. Biographic Data – Subscription Name (2.018 NAM) and Subscription DOB (2.022 DOB)
2. Rap Back Activity Notification Format (2.2062 RBNF)
3. Rap Back Opt Out in-state Indicator (2.2063 RBOO)
4. Rap Back Attention Indicator (2.2070 RBATN)
5. Rap Back Expiration Date (2.2015 RBXD)
6. Triggering Event(s) (2.2040 RBT)
7. User Defined Fields (up to 10) (2.2064 RBUD)
8. Rap Back Disclosure Indicator (2.2067 RBDI)

#### **Operational flow for Maintaining Rap Back Subscriptions**

1. Through the agreed upon SIB/Federal Submitting Agency and Subscribing Criminal Justice Agency processes, the criminal justice Subscription is already established on an NGI Identity.
2. The Subscribing Agency needs to add triggers, change the expiration date, remove the subscription, or take another maintenance action. Accordingly, under the agreed upon communications methodology, they send the correct message to the SIB or Federal Submitting Agency with the required information to make the appropriate change.

3. The SIB or Federal Submitting Agency formats the information received from the Subscribing Agency into the appropriate EBTS Rap Back Maintenance Submission (RBMNT) transaction format and sends it to NGI.
4. NGI processes the maintenance transaction and makes the appropriate change in the NGI Rap Back subscription. NGI sends the SIB or Federal Submitting Agency the Rap Back Maintenance Response transaction (EBTS Section 3.6.23 RBMNTR) verifying the completion of the change.
5. The SIB or Federal Submitting Agency passes the subscription change verification along to the requesting Subscribing Agency under the agreed upon communications methodology.

#### **4. Retrieving a Subscriber's Rap Back Subscription List**

FBI provides Rap Back Subscribing Agencies the ability to retrieve their Subscription List including each of their subscriptions and its status. This transaction is discussed in EBTS Section 3.3.3.1 Rap Back Subscription List Request (RBRPT). The response is discussed in EBTS Section 3.3.3.2 Rap Back Subscription List Response (RBRPTR).

The Rap Back Subscription List will contain:

1. FBI/UCN (2.014 FBI/UCN)
2. Rap Back Subscribing Agency (2.073 CRI)
3. Biographic Data - Subscription Name (2.018 NAM) and Subscription DOB (2.022 DOB)
4. Rap Back Category (2.2065 RBC)
5. Rap Back Notification Format (2.2062 RBNF)
6. Opting out of receiving in-state triggering events (set by Submitter) (2.2063 RBOO)
7. Rap Back Subscription Date (2.2054 RBSD)
8. Rap Back Expiration Date (2.2015 RBXD)
9. Rap Back Subscription Term (for non-criminal justice subscriptions only)
10. Triggering Event(s) (2.2040 RBT)
11. Designated Rap Back Recipients (for non-criminal justice subscriptions only)
12. User Defined Fields (up to 10) (2.2064 RBUD)
13. Indicator to include Rap Back subscription information on the Identity History Summary - Disclosure Indicator (2.2067 RBDI)
14. Rap Back Subscription Identifier (2.2048 RBSI)
15. Associated Event Identifier (for non-criminal justice subscriptions only)
16. Originating Agency Cast Number (2.009 OCA)
17. Rap Back Attention Indicator (2.2070 RBATN)

The Subscribing Agency can request that the Subscription Lists be filtered on the following fields:

- Rap Back Subscription Identifier (2.2048 RBSI)
- Rap Back Subscriber (2.073 CRI)
- Recipients (for non-criminal justice subscriptions only)
- Expiration Date Range (2.2068 DTR)

In addition, the subscription lists will be provided in a format easily imported into spreadsheet or database software, so receiving agencies can filter and organize them in detail.

The Submitter must use the Return All Records (2.2047 RAR) field to indicate that a Subscription List Request should search all Rap Back Subscriptions that are routed through them as the Submitting ORI. If omitted, the default is 'N' where only subscriptions where they are the Submitter and the Subscriber (Submitter ORI in ORI and CRI fields) are searched returned.

The Rap Back Subscription List Response transaction (EBTS Section 3.3.3.2 RBRPTR) contains the Rap Back Subscription List field (2.2050 RBSL), which is a compressed comma-separated values (CSV) file with filename results.csv that contains the Subscription List information.

#### ***Operational flow for receiving a Subscriber's Rap Back Subscription List***

1. Through the Quick Reference Guide process, the Submitter's communication methodology already is established. Through that process the Subscribing Criminal Justice Agency has already established subscriptions on a number of NGI Identities.
2. In order to verify their own records--or any other reason—the Subscribing Criminal Justice Agency wants to retrieve a complete list of all their subscriptions. Accordingly, they send the agreed upon message to the SIB or Federal Submitting Agency to retrieve the Subscription List with the desired filters.
3. The SIB or Federal Submitting Agency transforms the information received from the Subscriber into the FBI EBTS Rap Back Subscription List Request (EBTS Section 3.3.3.1 RBRPT) transaction format and sends it to NGI.
4. NGI processes the request according to the parameters included within the request and returns the results to the SIB or Federal Submitting Agency in the Rap Back Subscription List Response transaction (EBTS Section 3.3.3.2 RBRPTR).
5. The SIB or Federal Submitting Agency passes it along to the requesting Subscribing Agency according to the agreed upon communications methodology.
6. The Subscribing Agency imports it into a spreadsheet or database program and is able to filter, sort, and query the list, as desired.

## **5. *Receiving and Responding to Monthly Rap Back Subscription Validation/Expiration Lists***

As the investigating or supervising criminal justice agency is required to include an expiration date in their subscription, it is critical that there be the opportunity to sustain the subscription in NGI if that initially expected expiration turns out to be too short a period. Accordingly, FBI will notify the Submitter of the pending expiration prior to that date being reached.

In order to avoid the Submitter and Subscriber receiving individual messages on all subscriptions about to expire, NGI has implemented a monthly validation/expiration process. The FBI will send a monthly list of subscriptions approaching expiration to the SIB or Federal Submitting Agency as described below.

Submitters must establish protocols with Subscribers for how the following steps will be accomplished between them. After receipt of the validation/expiration list for their subscription(s), the Subscribing Agency has the option to send the Submitter requests to “extend” subscription records with new expiration dates; to request that subscription records be canceled immediately; or to do nothing and allow them to expire on their current Expiration Dates. Requested new expiration dates must not exceed the maximum expiration periods of one year for investigative subscriptions or five years for supervision subscriptions. There is no limit to how many times a criminal justice subscription can be extended, but it is the responsibility of the Subscribing Criminal Justice Agency to review the subscriptions upon receipt of the validation/expiration list notification and only extend the subscriptions if the original – or another – valid criminal justice purpose is present. For supervision subscriptions, the question is just whether the person is still on supervision. For investigative subscriptions, the easiest test is “Am I authorized at present and for the term of the new expiration period to run a QH/QR transaction on this person?”

### ***Operational flow for receiving and responding to monthly Rap Back Subscription Validation/Expiration Lists***

1. Monthly, NGI will send each Submitter a list of all their Subscribers’ subscriptions that will expire during the month occurring 45-75 days in the future (For example, in June NGI will process the records expiring in August; in July NGI will process the records expiring in September, etc.).
2. The Submitters then distribute those lists to their Subscribers, as agreed upon between them.
3. The Subscribers review their lists and send the Submitters notice to replace the expiration dates with later dates of all those that should be extended. Those notices are in the format and communications methodology established by the Submitters. The subscriptions that they want to expire they tell the Submitter to delete if they are no longer valid or just leave alone if the pending expiration dates are correct. They will just expire naturally.

4. The Submitter transforms positive responses from the Subscriber into FBI's Rap Back Maintenance Submissions (EBTS Section 3.6.22 RBMNT), which include the new expiration dates, and sends them to NGI. This can be accomplished in a bulk transaction. NGI processes the maintenance transactions and returns acknowledgment messages to the Submitter in the Rap Back Maintenance Response (EBTS Section 3.6.23 RBMNTR). The Submitter forwards those acknowledgements to Subscriber, as agreed upon.
5. The Submitter transforms the negative responses into Rap Back Maintenance Submissions that delete the subscriptions from the NGI Identity and sends those to NGI. NGI processes the deletions and returns confirmation RBMNTR responses to the Submitter. The Submitter forwards those acknowledgements to the Subscriber, as agreed upon.
6. Ten days prior to the expiration of each subscription that was not extended or canceled, NGI sends an individual EBTS Rap Back Renewal Notification (EBTS Section 3.5.3 RBRN) transaction reminding the Submitter. For example, on August 21 individual EBTS transactions go to the Submitter for the subscriptions expiring on August 31. The Submitter forwards those notices to the Subscribers, as agreed upon between them.
7. After the end of expiration month, NGI sends the Submitter a list of all the subscriptions that were deleted for the month's expiration processing.
8. The Submitter forwards that list to the Subscribers, as agreed upon between them.
9. The Subscriber reviews the list for any subscriptions that may have been deleted in error.
10. If a subscription has been deleted in error less than 60 days prior, the Subscriber can simply ask the Submitter to re-establish that subscription with the FBI/UCN and Rap Back Subscription Identifier. If it has been more than 60 days, the Subscriber will have to create a new subscription, as described earlier in this document.

**Note:** The monthly validation/expiration lists are used to notify the Subscribers of the subscriptions about to expire. They are actually just Rap Back Subscription Lists that are automatically generated by NGI on a monthly basis with Expiration Date Range (2.2068 DTR) as an input parameter. As such, they are not a specific EBTS transaction and are not discussed in the EBTS. They are an operational function of the NGI Rap Back Service and will be administered as described in this document and the Non-Criminal Justice Rap Back Policy and Implementation Guide.



## **6. Receiving Rap Back Activity Notifications for Consolidations of Subscribed Identities**

Sometimes FBI finds that they have mistakenly created two NGI Identities for the same person. When this is discovered, they go through a “consolidation” process whereby the records are combined. This consolidation can provide a criminal justice agency with valuable information.

As a result, one of the automatically set triggers in the NGI Rap Back Service is notification of consolidation. This function will alert the Subscribing Agencies when NGI consolidates any of their subscribed Identities with another NGI identity. Upon receipt of the Identity History Summary from the Rap Back Activity Notification (EBTS Section 3.5.2 RBN) with the information from both records, the Subscribing Criminal Justice Agency can determine whether there is any relevant new information. The subscription will now be maintained on the consolidated NGI Identity. It will have the retained FBI/UCN of one of the previous records—and that FBI/UCN may be different than the one previously contained in the Subscription. The Subscriber needs to make note of the FBI/UCN if it is different.

No specific response is required to NGI from the Submitting or Subscribing agencies after notification of a consolidation.

### **Operational flow for receiving a Rap Back Activity Notification of a Consolidation**

1. Through a previously missed identification at CJIS, there are two NGI Identities for a single person.
2. Through the agreed upon SIB or Federal Submitting Agency’s processes, a criminal justice agency has set a subscription on one of those NGI Identities.
3. Through submission of an additional criminal event to NGI (or other means), NGI identifies that two separate Identities exist for this person.
4. The NGI consolidation process combines the records. As a part of that process, NGI sends the Rap Back Activity Notification (EBTS Section 3.5.2 RBN) message to the SIB or Federal Submitting Agency for the subscription. That Notification makes available the combined Identity History Summary, which consolidates the criminal history record information and/or other triggering event activity that was previously listed on the two separate records. As such, it contains new information for the Subscribing Criminal Justice Agency, which must be reviewed.
5. Using the established communication methodology, the SIB or Federal Submitting Agency forwards all the consolidation information to the Subscribing Criminal Justice Agency.
6. The Subscribing Criminal Justice Agency must review the consolidated Identity History Summary to determine whether any relevant information is now provided, which was previously not provided because it was on the NGI Identity not originally associated with their NGI Rap Back subscription. The Subscriber

- must note whether the Identity History Summary is now under a different FBI/UCN than was previously used by the Subscriber.
7. No specific response is required of the Subscribing Agency; however, as with any Rap Back Activity Notification, if any of the information provided changes the status of the subscription, the Subscribing Criminal Justice Agency must communicate that change to NGI through the Submitting Agency.

## **7. Performing Bulk Submissions**

The bulk submission capabilities of NGI's Rap Back Service allow Submitters and Subscribers to perform large quantity functions efficiently. This capability will be especially useful for supervision agencies who want to upload their files of clients at Rap Back start-up. Those agencies will also be able to process their maintenance transactions in bulk. As with all the Rap Back transactions, this capability is executed through the Submitting Agency.

Bulk submissions are files of large numbers of single EBTS transactions. NGI will process the Bulk Submissions as a series of single transactions. The response file then will contain both the file of individual response EBTS transactions and summaries listing the results of each transaction in the following categories. In the summaries, each transaction will be identified by at least its assigned UCN:

1. The transactions that succeeded;
2. The transactions that failed; and
3. The transactions that succeeded, but had some modification/correction by NGI, such as if three triggers were requested, including civil events, but the Subscriber was not authorized to receive civil events. The Subscription would be set, but only with the two remaining triggers.

These separate lists will allow the Submitters and Subscribers to quickly tell which Subscription Requests need further attention, without having to sort through large quantities of individual transaction results.

Bulk Submissions can also be used for Maintenance transactions, such as to extend or cancel large numbers of Subscriptions during the validation/expiration process.



## Appendix 1: Criminal Justice Rap Back Related Data Available for Use within EBTS

For quick reference, a summary of the criminal justice Rap Back related data within the EBTS are set out below. For the specific technical requirements for participation in the NGI Rap Back service, please refer to the latest available version of the EBTS, which can be found at website: <https://www.fbibiospecs.org/ebts.html>

This Appendix is intended only to provide a summary and profile of the criminal justice Rap Back data in NGI and not to replace any technical specification in the EBTS. The EBTS controls in any unintentional conflict between this document and the EBTS. All technical planning, development, and implementation must be done by referring to the EBTS document.

The following Rap Back related data elements are available for entry with the criminal justice subscription:

EBTS Tag Number	EBTS Element	EBTS Element Name	Mandatory/Optional
2.009	OCA	Originating Agency Case Number	Mandatory
2.014	FBI/UCN	FBI Number/Universal Control Number	Mandatory
2.018	NAM	Name	Mandatory
2.022	DOB	Date of Birth	Mandatory
2.070	RAP	Request for Electronic Rap Sheet (to be sent to Subscriber when subscription is established)	Optional
2.073	CRI	Controlling Agency Identifier (Subscribing Agency's ORI)	Optional
2.2015	RBXD	Rap Back Expiration Date	Optional
2.2040	RBT	Rap Back Trigger	Optional
2.2062	RBNF	Rap Back Activity Notification Format	Mandatory
2.2063	RBOO	Opt out in-State Indicator (Set by the Submitter)	Optional
2.2064	RBUD	Rap Back User Defined	Optional
2.2065	RBC	Rap Back Category	Mandatory
2.2067	RBDI	Rap Back Disclosure Indicator	Optional
2.2070	RBATN	Rap Back Attention Indicator	Optional

Notes on the above data elements and other Rap Back related data elements are listed below in EBTS tag number order.

### **2.009 OCA - Originating Agency Case Number**

This field contains the one-to-twenty-character Originating Agency Case Identifier (OCA) assigned by the originating agency.

### **2.014 FBI/UCN - FBI Number or Universal Control Number**

### **2.018 NAM - Name**

When provided within a Subsequent Subscription transactions not supported by fingerprints (which will usually be the case for criminal justice subscriptions), the name will not be added to the NGI Identity. The name supplied in the Subsequent Subscription transaction establishing the subscription will be provided on the following Rap Back messages so the Subscriber can link these messages back to the correct licensee, employee, volunteer, etc. in their files.

1. Rap Back Subscription Response (EBTS Section 3.6.21 RBSR)
2. Rap Back Identity History Summary Response (EBTS Section 3.3.3.4 RBIHSR)
3. Rap Back Activity Notification (EBTS Section 3.5.2 RBN)
4. Rap Back Renewal Notification (EBTS Section 3.5.3 RBRN)
5. Rap Back Maintenance Response (EBTS Section 3.6.23 RBMNTR)

### **2.022 DOB - Date of Birth**

When provided within a Subsequent Subscription transactions not supported by fingerprints (which will usually be the case for criminal justice subscriptions), the DOB will not be added to the NGI Identity. The DOB supplied in the Subsequent Subscription transaction establishing the subscription will be provided on the following Rap Back messages so the Subscriber can link these messages back to the correct licensee, employee, volunteer, etc. in their files.

1. Rap Back Subscription Response (EBTS Section 3.6.21 RBSR)
2. Rap Back Identity History Summary Response (EBTS Section 3.3.3.4 RBIHSR)
3. Rap Back Activity Notification (EBTS Section 3.5.2 RBN)
4. Rap Back Renewal Notification (EBTS Section 3.5.3 RBRN)
5. Rap Back Maintenance Response (EBTS Section 3.6.23 RBMNTR)

### **2.070 RAP - Request for Electronic Rap Sheet**

The purpose of this field is to allow the Subscriber to optionally request an electronic Identity History Summary (IDHS) of the identity at the time the subscription is set.

### **2.073 CRI - Controlling Agency Identifier (Subscribing Agency ORI)**

This field will contain the ORI of the Subscribing Agency. See the NGI Rap Back Non-Criminal Justice Policy and Implementation Guide for discussion of the use of this field under "Category Based Subscription Management".

**2.2015 RBXD - Rap Back Expiration Date**

Date the subscription expires under the Subscriber's Privacy Strategy. When it is about to expire, will cause the record to be included in the monthly validation/expiration list for validation processing.

**2.2020 RBR - Rap Back Recipient -Designated Recipients**

To designate additional recipients who can receive notices under the authority of this Subscription. For use with non-criminal justice subscriptions only.

**2.2040 RBT - Rap Back Trigger**

Events that will cause future notifications to Submitter/Subscriber.

Automatically includes criminal tenprint retain transactions and National Fingerprint File (NFF) Criminal Print Identification (CPI) submissions.

Subscriber can add all the rest of the triggers, if desired. The "Civil Retain Submission" trigger will only be allowed for those federal agencies authorized to receive those events.

**2.2041 RBNI - Rap Back Activity Notification Identifier**

This number is provided to the Subscriber within the Rap Back Activity Notification when a future reported event matches against one of their Rap Back subscriptions in NGI. If the Subscriber indicated "Triggering Event" in the Rap Back Activity Notification Format field when setting the subscription, they can use the Rap Back Identity History Summary Request transaction to see the updated Identity History Summary of the person. The Subscriber must use the RBNI in that transaction.

**2.2047 RAR - Return All Records**

Used to indicate that a Rap Back Subscription List Request (RBRPT) search and return results from all Rap Back Subscriptions that are routed through the sending Submitter's ORI. If omitted the default is 'N', where only subscriptions owned by the sending Submitter are searched and returned.

**2.2048 RBSI - Rap Back Subscription Identifier**

Unique number assigned by NGI that identifies the subscription as a whole. It is provided back to the Rap Back Submitter/Subscriber when the subscription is established. This number is required to perform maintenance on an existing subscription.

**2.2050 RBSL - Rap Back Subscription List**

A compressed comma-separated values (CSV) file with filename results.csv. Used to return Subscription Lists to Subscribers. See EBTS Section 3.3.3.2 Rap Back Subscription List Response (RBRPTR) for more information.

**2.2054 RBSD - Rap Back Subscription Date**

Date the subscription is created. It is added to the subscription automatically by NGI.

## 2.2062 RBNF - Rap Back Activity Notification Format

Under the Submitter/Subscriber Privacy Strategy, an indication of whether the Rap Back Activity Notification should be:

1. Pre-notification (for non-criminal justice subscriptions);
2. Triggering Event; or,
3. Triggering Event and Identity History Summary.

Criminal Justice Agencies should not choose “Pre-Notification” as it will delay delivery of the Identity History Summary or Triggering Event.

## 2.2063 RBOO - Rap Back Opt Out in-State Indicator

This field set by the Submitter to indicate NGI should not send the Submitter notifications of events originating from within the Submitter’s own state. The default value is ‘N’, NGI sending all notifications. A value of ‘Y’ must be provided on all subscriptions for which Submitter wishes to opt-out of in-state notifications.

## 2.2064 RBUD - Rap Back User Defined fields

Appropriate use is determined by the Submitter.

Note: Each User Defined field is actually a set of two fields:

2.2064A – Rap Back Field Name: a 50 character field in which the Subscriber can place a user-defined name for this user defined field.

2.2064B – Rap Back Field Text: a 100 character field in which the Subscriber places the user-defined text information.

The Rap Back Field Text can contain additional linking information for the subscription such as SID; TCN; OCA; more detailed contact information; reminder notes regarding the subscription; or any other relevant information. These fields are not disseminated on an Identity History Summary, rather they are returned to the SIB or Federal Submitting Agency with the Rap Back Activity Notifications and other Rap Back messages.

## 2.2065 RBC - Rap Back Category

Used to identify the correct Category of the subscription so that NGI will use the correct Purpose Code when generating criminal history information. Category is a required field that must have one of the following values. The resulting Purpose Codes are also listed:

Category Code Value	Rap Back Category Code Description	Internal NGI Purpose Code Mapping
J	Criminal Justice Employment*	J
CI	Law Enforcement Investigative	C
CS	Criminal Justice – Supervision	C

\*See the NGI Rap Back Non-Criminal Justice Policy and Implementation Guide for information regarding entry of subscriptions in the Criminal Justice Employment Category.

#### **2.2067 RBDI - Rap Back Disclosure Indicator**

This field is used for criminal justice subscriptions only, to indicate whether the Rap Back Subscription should be visible on Rap Sheets generated to other criminal justice agencies. This field should contain a 'Y' to indicate that Criminal Rap Back Subscription information should be included as Identity History Summary information. The default is 'N'.

#### **2.2068 DTR - Expiration Date Range**

Used in the Rap Back Subscription List Request (RBRPT) transaction as an input parameter to limit responses to subscriptions within the identified range.

#### **2.2069 RBTED - Rap Back Triggering Event Details**

Note: The Triggering Event Details field is actually a set of three fields:

2.2069A DORBE – Date of Rap Back Event;

2.2069B RBT – Rap Back Trigger;

2.2069C RBEI – Rap Back Event Information.

The Triggering Event Details will be provided within the Rap Back Activity Notification when either “Triggering Event” or “Triggering Event and Identity History Summary” is chosen as the Rap Back Activity Notification Format when the subscription is created.

#### **2.2070 RBATN - Rap Back Attention Indicator**

Available for the Subscriber to use in combination with the User Defined fields to link future Rap Back Activity Notifications to the right person or Section within the Subscribing Agency. The RBATN is returned on some Identity History Summaries provided to criminal justice agencies for criminal justice purposes.

This is a fifty character free text field. It will always appear on an Identity History Summary generated on a subscribed person for Supervision Subscriptions and only appear for Investigative Subscriptions when the Subscriber has indicated the subscription should be made visible. As such, it should be populated with contact information determined by the Subscriber to be relevant to receivers of a future Identity History Summary of the subscribed person. Those Rap Sheets may be received during off-hours and may be placed in court case files and other official records, so the Subscriber should decide upon appropriate information to be included keeping those situations in mind.

## Appendix 2: Subscribing Criminal Justice Agency Quick-Reference Guide to NGI's Rap Back Service

*Note to Submitters: This document is provided for any use you deem appropriate: as a handout on its own, combined into your documentation, or any other use in communicating with your Subscribers. Please add information specific to your implementation, such as in Item #3 where you can write in the appropriate communications methodology, etc. (Also, delete this text box.)*

Prior to providing Rap Back services to a potential Subscribing Criminal Justice Agency, the State Identification Bureau (SIB) or Submitting Federal Agency must work with that agency to ensure they understand the Rap Back service requirements. This Quick-Reference Guide is designed to be a summary view into those requirements.

### 1. Authority

The Subscribing Agency must have a criminal justice ORI assigned by the FBI CJIS Division.

### 2. Reason for Subscription

The Subscribing Agency may only subscribe to persons under statutory or court ordered supervision or under authorized investigations. Investigative subscriptions can only be established in relation to law enforcement cases that have been assigned an official agency case number and that still have a charge not beyond its statute of limitations.

### 3. Messaging and communications

The Submitting Agency will advise the Subscribing Agency of the secure messaging and communications methodology that will be used between them to keep each other advised of subscription related information.

The Submitting Agency will also advise the Subscribing Agency how the User Defined fields can be used to assist with internal routing of Rap Back Activity Notifications received in the future. The User Defined fields are 10 free-text fields of 100-character each.

### 4. Displaying the Subscription on Rap Sheets

A Subscribing Agency setting a law enforcement investigative subscription must decide whether they want their subscription to display on Rap Sheets sent to other criminal justice agencies from CJIS, such as in response to on-line QH/QR inquiries. The Subscriber must communicate that choice to the Submitter, along with what information they want in the Rap Back Attention field that will be displayed in those instances. Those Rap Sheets may be received during off-hours and may be placed in court case files and other official records, so the Subscriber should decide upon appropriate information to be included keeping those situations in mind.

Supervision subscriptions will always display on Rap Sheets provided to criminal justice agencies for criminal justice purposes. Accordingly, Supervising Agencies setting NGI Rap



Back Subscriptions must decide what information they want to show in the Rap Back Attention field.

**5. Triggering Events**

By default, Subscribers will always be notified when their subscribed persons are re-arrested and the FBI CJIS Division is notified of the arrest. In addition, the Subscribing Agency may elect to receive Rap Back Activity Notifications on of any or all of the other available triggering events.

**6. The Subscribing Agency must protect the data received from NGI's Rap Back Service**

The NGI Rap Back Program does not create any new authority for any agencies to receive criminal history record information (CHRI). It is simply a new manner through which criminal justice and non-criminal justice agencies can request and receive CHRI. Accordingly, CHRI disseminated for criminal justice purposes from the NGI Rap Back Service is subject to the same legal and policy restrictions as for the use of any CHRI disseminated from CJIS for criminal justice purposes.

A fingerprint based identification is not required, but the Subscribing Agency must have complete confidence in the identity prior to setting the subscription. They also must use the appropriate caution after receipt of any Rap Back Activity Notification.

**7. The Subscribing Agency must determine expiration dates for their subscriptions**

For subscriptions on individuals under supervision (probation, parole, sex offender, etc.) it is recommended the expiration date be set to the expiration of supervision by the Subscribing Agency, if possible. When the exact end of supervision is unknown, it is acceptable to set the expiration date to an estimated end of supervision. The Agency can then use the validation/expiration lists as a reminder to review the status of the supervision. A supervision subscription cannot be set to an expiration date longer than five years, but it can be "extended" an indefinite number of times as long as the person remains on supervision. If no expiration date is included in a supervision subscription request, the system will default to a five year expiration. Subscribers must ensure that the subscription is not set to a date longer than the anticipated period of supervision.

For subscriptions on persons under investigation, the agency should make a realistic estimate of how long the person will still be of authorized interest. An investigative subscription cannot be set to an expiration date longer than one year, but it can be "extended" an indefinite number of times as long as the person is still under investigation in relation to a case that has been assigned an official agency case number and still has a charge not beyond its statute of limitations. An investigative subscription will default to a one year expiration date if a specific date is not set by the Subscriber in the subscription request. For investigative subscriptions, an easy test is "Am I authorized at present and for the anticipated term of the subscription to run a QH/QR transaction on this person?"



**8. The subscription must include the Case Number of the related case for the subscription**

The purpose of this requirement is to document that the investigative subscription is related to an official investigation for investigative subscriptions and to document the supervising agency's case number (or other relevant number) for supervision subscriptions.

**9. The Subscribing Agency must select the Rap Back Activity Notification Format**

When a future triggering event, such as an arrest, is reported to NGI, the Rap Back Service will send either 1) the triggering event with the Identity History Summary; or 2) just the triggering event. The Subscribing Agency must choose which they prefer to receive.

**Note:** As a reminder, law enforcement investigative or criminal justice supervision subscriptions should not select the "Pre-Notification" format (not listed above), as that will delay delivery of the Identity History Summary and is intended for civil subscriptions only.

**10. There will be no fee for criminal justice NGI Rap Back subscriptions.**

There is no fee for a Subscribing Agency to participate in NGI's Criminal Justice Rap Back Service when setting criminal justice employment, supervision, or investigative subscriptions.

**11. The information included in a Criminal Justice Rap Back Subscription**

The Following fields are available for the Subscribing Agency to enter into an NGI Criminal Justice Rap Back Subscription:

	Element Abbreviation	Element Name	Mandatory/ Optional
1.	OCA	Originating Agency Case Number	Mandatory
2.	FBI/UCN	FBI Number/Universal Control Number	Mandatory
3.	NAM	Name	Mandatory
4.	DOB	Date of Birth	Mandatory
5.	RAP	Request for Electronic Rap Sheet (to be sent to Subscriber when subscription is established)	Optional
6.	CRI	Controlling Agency Identifier (Subscribing Agency's ORI)	Optional
7.	RBXD	Rap Back Expiration Date	Optional
8.	RBT	Rap Back Trigger	Optional
9.	RBNF	Rap Back Activity Notification Format	Mandatory
10.	RBOO	Opt out in-State Rap Back Indicator (Set by the Submitter)	Optional
11.	RBUD	Rap Back User Defined	Optional

12.	RBC	Rap Back Category	Mandatory
13.	RBDI	Rap Back Disclosure Indicator	Optional
14.	RBATN	Rap Back Attention Indicator	Optional